

ORDINANCE NO. 326 N.S.

AN ORDINANCE ADDING NEW CHAPTER 9.02 TO THE MUNICIPAL CODE
OF THE CITY OF EL PASO DE ROBLES SETTING FORTH EMERGENCY
REGULATIONS TO PROVIDE PEACE AND ORDER.

Sections:

9.02.010 Emergency Regulations to Provide Peace and Order. It is deemed necessary and in the public interest that the City of El Paso de Robles take an appropriate action to insure that orderly procedures exist to protect the life and property and the preservation of public peace and safety of the citizens of the City during a riot, general civil disobedience, or threat of same.

The Mayor of the City of El Paso de Robles or the City Council, shall have the power to issue a proclamation of a state of emergency whenever they shall find either of the following to exist within the City of El Paso de Robles.

(1). That rioting and widespread public disorder have erupted in the City of El Paso de Robles resulting in personal injuries and in extensive property damages; or

(2). That there is a serious threat of riot and general civil disobedience, and that although the City has made and continues to make substantial efforts to prevent such riot and disorder, the threat to the City is such that additional action is deemed warranted to protect the lives, safety, peace and property of the citizens of the City of El Paso de Robles.

Whenever a proclamation of a state of local emergency has been issued by the Mayor or the City Council, the Mayor or the City Council shall have the power to do the following within any portion or portions of all of the City of El Paso de Robles:

(1). Curfew: Order a general curfew applicable to such specified geographical areas of the City, to the City as a whole, as is deemed necessary in the interest of the public safety and welfare,

"Curfew" means a prohibition against any person or persons walking, running, loitering, standing or motoring upon any public alley, street or highway, any public property, or any vacant premises, excepting persons officially designated to duty with reference to the civil emergency and representatives of the news media, physicians, nurses, and ambulance operators performing medical services, utility personnel maintaining essential public services, firemen and law enforcement officers and personnel, and those specifically authorized by the Chief of Police or his duly authorized agent;

(2). Business Closing: Order the closing of any business establishments within the curfew area or within any other specified portion of the City of El Paso de Robles, for the period of the emergency; such business to include, but not be limited to, those selling intoxicating liquors, cereal malt beverages, gasoline or firearms;

(3). Alcoholic Beverages; Order that no person within the curfew area or within any other specified portion of the City of El Paso de Robles shall consume any alcoholic beverages in a public street or place which is publically owned or in any motor vehicle driven or parked thereon;

(4). Weapons: Order that no person within the curfew area or within the other specified portion of the City of El Paso de Robles, shall carry or possess any gun, bomb, firebomb, knife, rock, bottle, club, brick, or weapon, who uses or intends to use the same unlawfully against the person or property of another;

(5). Traffic Control: Designate any public street, thoroughfare or vehicle parking areas within the curfew area or within any other specified portion of the City of El Paso de Robles closed to motor vehicles and pedestrian traffic.

Section 9.02.020 Violations and Penalties. Any person violating any of the provisions of this Chapter shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine of not to exceed \$500.00 or by imprisonment in the City jail or the County jail for not to exceed six months or by both such fine and imprisonment, unless the act is otherwise prohibited under the penal code of the State of California.

Section 9.02.030 Term of State of Local Emergency. Any emergency proclaimed in accordance with the provisions of this Ordinance shall terminate after forth-eight hours from the issuance thereof or upon the issuance of a proclamation by the Mayor or the City Council determining a local emergency no longer exists, which ever occurs first.

Section 9.02.040 Authority to Obtain Vital Supplies, Equipment, and Property. In the event a proclamation of an emergency has been issued as set forth in this Ordinance, the Director of Civil Defense is empowered to obtain those vital supplies, equipment, vehicles, and any and all other of property which in his judgement are lacking and needed for the protection of the life and property of the people in the City of El Paso de Robles for the fair value thereof.

Section 9.02.050 Provisions in Event of Absence of Mayor and City Council. In the event both the Mayor and the City Council are absent from the City of El Paso de Robles, or are otherwise unavailable, during a riot, general civil disobedience, or threat of the same, any and all of the powers granted by this Chapter to the Mayor and the City Council may be exercised by the City Administrator.

PASSED AND ADOPTED THIS 18th DAY OF October 1971 by the following roll call vote:

AYES: Barnhart, Blake, Minshull, Neberman and Schwartz

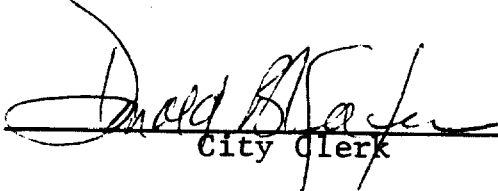
NOES: None

ABSENT: None



Mayor

ATTEST:



City Clerk